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PATENT & TRADEMARK

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Dated: August 20, 2003

Signature: Tram Anh T. Nguyen

(Tram Anh T. Nguyen)

Docket No.: 022719-0023
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: David D. Konieczynski, et al.

Application No.: 10/092,954

Confirmation No.: 7357

Filed: March 6, 2002

Art Unit: 3763

For: CONVECTION-ENHANCED DRUG DELIVERY
DEVICE AND METHOD OF USE

Examiner: R. Ghafoorian

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TECHNOLOGY CENTER R3700

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 21, 2003 (Paper No. 5), applicant hereby provisionally elects claims 1-3, 6-8, 10, 11, 14-17, 19-22, 25, 26, and 28-40, all of which are drawn to Species B (Figure 1A) for continued examination, with traverse.

Enclosed herewith is a complete listing of the claims indicating which claims have been withdrawn in accordance with Applicants' election of Species B.